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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,698	01/02/2004	William D. Cottrell	8534-001	3826

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EXAMINER

EDELL, JOSEPH F

ART UNIT	PAPER NUMBER
3636	

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/750,698

Applicant(s)

COTTRELL ET AL.

Examiner

Joseph F. Edell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 16 and 30 are objected to because of the following informalities:
 - a. claim 16, lines 2-3, "and a distance between said first post and said second post" should read --at a distance from said at least one post--;
 - b. claim 30, line 2, "a post" should read --said at least one post--.Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10, 15, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,449,011 to Edwards et al.

Edwards et al. disclose a vehicle mounted peripheral device station that includes all the limitations recited in claims 1-10, 15, and 16. Edwards et al. show a vehicle mounted peripheral device station having a vehicle seat 12 (Fig. 1) capable of receiving a removable headrest 16 (Fig. 4), a peripheral device 82 (Fig. 2), an adaptor 14 (Fig. 1) having first and second spaced posts and capable of securing the peripheral device to the vehicle seat, a support surface 80 (Fig. 2) attached to the peripheral device and the

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adaptor, and a securing means (Fig. 4) for securing the peripheral device to the support surface wherein the support surface is a plate having a plurality of edges attached to a plurality of side walls spaced to frictionally receive the peripheral device, and the plurality of side walls includes a front wall with a reduced height, a first side wall, a second side wall, and a noncontinuous back wall (see Diagram A below).

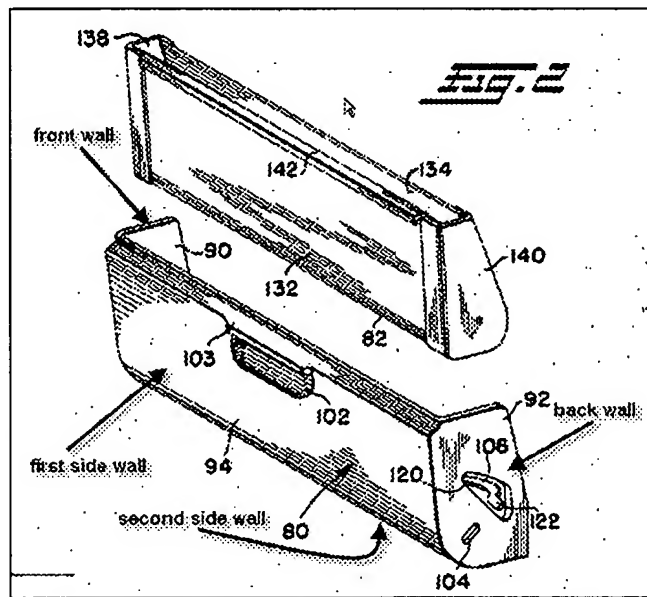


Diagram A - Annotated Figure 2 of Edwards et al.

4. Claims 1-3, 12, 15, 18-21, 30, 35, and 36 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,713,633 to Lu.

Lu discloses a vehicle mounted peripheral device station that includes all the limitations recited in claims 1-3, 12, 15, 18-21, 30, 35, and 36. Lu shows a vehicle mounted peripheral device station having a vehicle seat 50 (Fig. 1) capable of receiving a removable headrest 60 (Fig. 1), a peripheral device 72 (Fig. 9), an adaptor (Fig. 2) capable of securing the peripheral device to the vehicle seat, a support surface 40, 61

(Fig. 1) attached to the peripheral device and the adaptor, and at least one receptacle (see Fig. 4) to receive a post 30 wherein the support surface is a plate 40 having a plurality of edges, and the at least one post is vertically pivotable.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 12, 13, 15-17, 20-28, 30, 31, 33, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edwards et al. in view of U.S. Patent No. 6,022,078 to Chang.

Edwards et al. disclose a vehicle mounted peripheral device station that is basically the same as that recited in claims 12, 13, 15-17, 20-28, 30, 31, 33, and 34 except that the posts lack receptacles in the vehicle seat and distal adjustment between the posts, as recited in the claims. Chang shows a headrest similar to that of Edwards et al. wherein first and second posts 60 (Fig. 1) are received in receptacles of a vehicle seat (see column 1, lines 13-20), and the distance between the first and second posts is adjustable (see Fig. 4). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the vehicle mounted peripheral device station of Edwards et al. such that the vehicle seat includes first and second receptacles to receive the first and second posts, and at least one of the posts

is adjustable to modify the distance between the first and second posts, such as the headrest disclosed in Chang. One would have been motivated to make such a modification in view of the suggestion in Chang that the adjustable posts of the headrest allows the headrest to accommodate different engaging devices wherein the headrest is vertically adjustable.

7. Claims 11 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edwards et al. in view of Chang as applied to claims 12, 13, 15-17, 20-28, 30, 31, 33, and 34 above, and further in view of U.S. Patent No. 4,858,994 to Yamashita.

Edwards et al., as modified, disclose a vehicle mounted peripheral device station that is basically the same as that recited in claim 11 and 29 except that the securing means lacks adhesive, as recited in the claims. Yamashita shows a headrest similar to that of Edwards et al. wherein support surface 9 (see Fig. 1) is attached to core 1 by adhesive. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the vehicle mounted peripheral device station of Edwards et al. such that the securing means is an adhesive, such as the headrest disclosed in Yamashita. One would have been motivated to make such a modification in view of the suggestion in Yamashita that the adhesive securing allows for attachment of disparate articles.

8. Claims 14 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu in view of U.S. Publication No. 2003/023455 A1 to Brooks et al.

Lu discloses a vehicle mounted peripheral device station that is basically the same as that recited in claims 14 and 32 except that the peripheral device lacks a

printer, as recited in the claims. See Figure 9 of Lu for the teaching that the peripheral device may be a television set, a game set, and/or a karaoke machine. Brooks et al. shows a peripheral device similar to that of Lu wherein the peripheral device includes a visual displaying device 72 (see Fig. 4) with a printer 92. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the vehicle mounted peripheral device station of Lu such that the peripheral device includes a printer, such as the peripheral device disclosed in Brooks et al. One would have been motivated to make such a modification in view of the suggestion in Brooks et al. that the peripheral device with a printer that communicates with a DVD playing computer display.

Response to Arguments

9. Applicant's arguments with respect to claims 1-36 have been considered but are moot in view of the new ground(s) of rejection. Please note that the Examiner reasonably interprets peripheral as of, relating to, involving, or forming a periphery or surface part; and a device as a piece of equipment or a mechanism designed to serve a special purpose or perform a special function, both terms being defined in *Merriam-Webster's Collegiate Dictionary, Tenth Edition*. Therefore, "a peripheral device" is any piece of equipment designed to serve a special purpose that is formed at a periphery, which is taught in both Edwards et al. and Lu.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph F. Edell whose telephone number is (571) 272-6858. The examiner can normally be reached on Mon.-Fri. 8:30am-5:00pm.

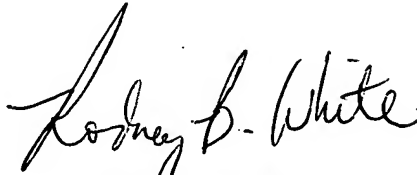
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).


JE
July 28, 2005


RODNEY B. WHITE
PRIMARY EXAMINER